

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 12-00096 WHA

Plaintiff,

v.

**ORDER ON MOTION FOR STATUS
CONFERENCE AND FINDING OF
EXCLUDABLE TIME**

JAMES SHELTON,


Defendant.

The government filed a motion for a status conference and finding of excludable time. A status conference was held on April 17, 2012. Thus, the motion for a status conference is **GRANTED**. The government also requested exclusion of time from the time of the filing of the instant motion through the date on which the motion was heard, “in light of the unusual procedural history of this case, and the current unconventional posture of this case.” Specifically, the government requested exclusion of time under 18 U.S.C. 3161(h)(1)(D), as a delay resulting from a pretrial motion, and under 18 U.S.C. 3161(h)(7)(B)(ii), which permits exclusion of time when a “case is so unusual or so complex, due to the number of defendants, the nature of the prosecution, or the existence of novel questions of fact or law, that it is unreasonable to expect adequate preparation for pretrial proceedings or for the trial itself within

1 the time limits established by this section.” There has not been a sufficient showing to support
2 exclusion of time on the asserted grounds. The motion to exclude time is **DENIED**.

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4 **IT IS SO ORDERED.**

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6 Dated: April 25, 2012.

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WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE